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Federal Communications Commission
Washington, D.C. 20554

December 13, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

DOCKET FILE COPY ORIGINAL

The Honorable Curt Weldon
Member, U.S. House of Representatives
2452 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Weldon:

Thank you for contacting us on behalf of your constituent, Ms. Patricia L. Dreibelis, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice sought comment on this analysis and asked interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invited parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly sought comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice sought additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also sought comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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The Honorable Curt Weldon
Page 2

Reply comments were due September 14, 1994. Presently, the Commission is evaluating the comments submitted and considering the implementation of BPP along with other options. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Thank you for forwarding Ms. Dreibelbis' correspondence to us and for your interest in this proceeding.

Sincerely yours,

John E. Logan
Deputy Director
Office of Legislative and Inter-governmental Affairs

Enclosures

CURT WELDON

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MIGRATORY BIRD
CONSERVATION COMMISSION



Congress of the United States
House of Representatives
Washington, DC 20515-3807

September 26, 1994

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 READINESS
 MILITARY ACQUISITION
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CONGRESSIONAL CLEARINGHOUSE
ON RECYCLING
THE EMPOWERMENT CAUCUS

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Room 814
Washington, D.C. 20554

Dear Mr. Hundt:

You will find enclosed a copy of correspondence I have received from Patricia L. Dreibelbis. The information, I feel, is self-explanatory.

I would appreciate your reviewing the enclosed letter and providing me with written information that would be helpful to my constituent.

Please forward the information to my District Office, 1554 Garrett Road, Upper Darby, PA 19082.

I am grateful for any assistance you may be able to provide in this matter.

Sincerely,

CURT WELDON
Member of Congress

CW:jf

JD

Patricia L. Dreibelbis
107 Canterbury Drive
Wallingford, PA 19086
home 610-872-8901
work 610-499-7486

September 20, 1994

Curt Weldon
1554 Garrett Road
Upper Darby, PA 19082

Dear Congressman Weldon,

The next few pages recount the treatment I received at the hands of a telecommunications business trading as VAC, Value Added Communications of Dallas, Texas. I believe that there has been a violation of FCC Title 47, Sections 201 and 202. As a constituent of yours, I am hoping that you will be able to help my petition reach the hands of an investigative person with the FCC.

VAC provides a collect-call phone service for inmates in the state of New York to their families, wherever they might live. Thousands of people were affected when they terminated service on Thursday September 8th, to all homes who had received more than \$ 100 of calls in the past month. The termination occurred without warning and to persons, like myself, who have an impeccable credit rating and whose bills are paid in full and on time. Not only was the termination without warning and without provocation, but the subsequent treatment I received was inexcusable.

I hope that the information I have provided in the following pages will give you reason and ammunition to prompt investigation of this company and their policies and practices.

Thank you for your consideration of my request.

Sincerely,


Patricia Dreibelbis

SEP 22

Patricia Dreibelbis
107 Canterbury Drive
Wallingford, PA 19086
610-872-8901

September 20, 1994

I, Patricia Dreibelbis, do hereby submit this petition pursuant to 47 U.S.C. section 208, alleging the following violations of 47 U.S.C.A. sections 201 and 202 by the VAC, Value Added Communications, trading in Dallas, Texas.

To wit:

1. On Thursday, September 8th, I was told by a friend that my husband had tried to call my home phone and had gotten a message that the phone had a VAC block on it. Since he is incarcerated in Green Haven Correctional Facility, Stormville, NY, he has no option but to call me collect via this phone service. Knowing that my credit is impeccable, I was at a loss to understand how my phone service could have been blocked. I tried to call the VAC 800 number, but was told that they would be open on Friday, September 9th, from 7am-5pm central time.

2. On September 9th, I began calling the VAC number at 8:00 am Eastern time. I was put on hold for exactly 62 minutes before a woman named Andrea Windsor answered my call. She was very pleasant, but told me that all customers, regardless of previous credit, were being blocked when their bills hit \$ 100. I said I had not been informed of this and her reply was that no one had because VAC doesn't even know who their customers are. They only know a telephone number. While I was on hold, she called Bell Atlantic and found out that my account was excellent and that the "average" long distance bill for the last three months had been \$ 150. For that reason, she upped my limit to \$ 150 although I pointed out that an average suggests that some months I go over that amount. In fact, I had already used up \$133 before they put the first block on. She said that shouldn't be a problem and the new month would start on Thursday September 15th and I should call back if I seemed to be getting near my limit. I assumed, obviously incorrectly, that she meant that I would start my \$ 150 limit on Thursday and until then I was in the clear.

3. On Sunday, September 11th, my husband informed me that there was a block on my home phone again because he had called me on Friday night, twice. I could do nothing about it because they do not answer calls on the weekend.

4. On Monday, September 12th, I began calling the VAC number at 8:00 am and was put on hold for 37 minutes. I talked to Terry Locke who informed me that I could not get the block off of my home phone until I paid the last bill...which I would not receive until the first week in October. She listened to all my points..and replied to each one "yes, ma'am, I understand what you are saying, but I can't do anything

about it." I continued to ask for someone who could do something about it and finally was transferred to Eve Johnson, a supervisor. She told me that the only way I could have my phone unblocked was to send them money overnight express...money order or cashier's check...and then they would unblock my phone. The only way I can ever get more than a \$150 limit is by making more long distance calls than that amount for three or more consecutive months and paying my bills in a timely fashion. Since they would have \$300 of mine in an account, I couldn't even begin to start demonstrating my ability to pay more than \$150 in long distance calling until I first used up that amount. When I asked if sending \$300 would show them my credit could be raised to \$300, she told me that sending them \$300 only showed that I could do it once. It didn't give me a credit rating. When I suggested that my credit is impeccable, she said that they only care about the last three months of my long distance bill. Just to be sure, I asked her to see if my work phone, where I receive many collect calls from my husband was blocked and she replied, "Oh, no, we can't touch business phones." That was Monday.

5. After waiting all day for my husband to call at work because I knew the phone at home was still blocked and having been assured that my work phone could not be blocked, I was very upset when his 4:30 pm call never came through. I waited for half an hour and finally went home crying because I thought something must have happened to him. When I arrived home, my son said I should call and see if they had blocked my work number. I told him that they couldn't, but I called anyway just to make sure. The woman I talked to looked it up in the computer and told me that my service to that number was suspended. She took my name and number and said someone would call me on Tuesday.

6. No one called, as had been promised, so I called again and they once again took my name and said I would be called. Finally, on a third try, I spoke to a person who said that my home phone was unblocked because they had gotten my \$300. I told her that my husband had tried the phone about a half hour before and it was still blocked and she said that if he tried it while the block was still on, the block would reactivate for another 24 hours. I asked her how he would ever know when it was safe to try without actually trying and she had no answer. When I told her that no one had ever told us that rule, she said that it was just the rule.

7. The building administrator complained about the suspension on my work phone and the customer service operator said it was now off and it had been a mistake. We continue to be cut off from one another and it seems always to be a mistake or some rule that we have never been informed of.

8. Were my husband in litigation at this time, he would have been shut off from his lawyer since calls to legal advisors typically run high during pre-trial or appeal procedures. That would most certainly be a violation of his rights.

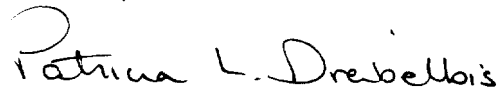
Wherefore: Petitioner respectfully requests that this agency order and effect the following relief to any and all persons of this class, similarly affected, as well as any

other relief the Commission shall deem fair and just:

- 1) Require all policies of VAC to be put in writing to their customers.
- 2) Prohibit VAC from suspending service to any customer without sufficient notice, in writing, at least one week prior to suspension.
- 3) Enjoin VAC from limitation of service without just cause, such as, but not limited to, non-payment of bills or illegal use of the phone system.

I would appreciate your reply in writing to this complaint.

Sincerely,

A handwritten signature in cursive script that reads "Patricia L. Dreibelbis". The signature is written in black ink and is positioned above the printed name.

Patricia L. Dreibelbis